

**NATURAL RESOURCES DEPARTMENT[561]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code subsection 455A.4, the Director hereby amends Chapter 8, “Contracts for Public Improvements and Professional Services,” Iowa Administrative Code.

These amendments change the threshold amount for which the Department of Natural Resources may approve public improvement projects and make other small modifications to align the bidding requirements with Iowa Code chapter 26. The thresholds established in this rule making are in line with changes to Iowa Code chapter 26.

Notice of Intended Action was published in the Iowa Administrative Bulletin on January 28, 2009, as **ARC 7534B**. The Department received no comments on the amendments.

Since publication of the Notice, two changes have been made to subrule 8.4(1). As a result of concerns raised by members of the Natural Resource Commission, the second sentence in subrule 8.4(1) now reads as follows: “All contracts for public improvements in excess of \$50,000 shall be approved by the director and the appropriate commission.” That amount had been set at \$100,000 rather than \$50,000 in the Notice. Additionally, to improve clarity, the phrase “less than \$25,000” in the last sentence of subrule 8.4(1) has been changed to “for amounts of \$25,000 or less.”

The Department finds that the adoption of these amendments will provide a benefit to individuals and companies that bid on public improvement projects by virtue of an expedited process. Allowing this earlier effective date will enable spring construction activities to benefit from the expedited process. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

These amendments are intended to implement Iowa Code section 455A.4.

These amendments became effective on March 20, 2009.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [8.2, 8.4(1)] is being omitted. With the exception of the changes noted above, these amendments are identical to those published under Notice as **ARC 7534B**, IAB 1/28/09.

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[For replacement pages for IAC, see IAC Supplement 4/8/09.]